

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
November 13, 2003

_____ ACTION/DECISION

 X INFORMATION

- I. **TITLE:** Administrative and Consent Orders issued by Environmental Quality Control
- II. **SUBJECT:** Administrative and Consent Orders issued during the period September 1, 2003 through September 30, 2003.
- III. **FACTS:** For the period September 1, 2003 through September 30, 2003, Environmental Quality Control issued thirty-two (32) Consent Orders with total assessed civil penalties in the amount of \$308,715. There was one (1) Administrative Order placed in force during this reporting period with a total assessed civil penalty of \$16,500.

Unless otherwise specified, "Previous Orders" as listed in this report include the orders issued by Environmental Quality Control programs within the last five (5) years.

<u>Bureau</u>	<u>Administrative Orders</u>	<u>Assessed Penalties</u>	<u>Consent Orders</u>	<u>Assessed Penalties</u>
Land & Waste Management				
Hazardous Waste	0	\$ 0	2	\$ 16,800
Solid Waste	1	16,500	1	28,385
<u>UST Program</u>	<u>0</u>	<u>0</u>	<u>5</u>	<u>3,350</u>
SUBTOTAL	0	\$ 0	7	\$ 48,535
Water				
Drinking Water	0	0	4	\$ 4,380
<u>Water Pollution</u>	<u>0</u>	<u>0</u>	<u>11</u>	<u>75,400</u>
SUBTOTAL	0	\$ 0	17	\$ 79,780
<u>Air Quality</u>				
SUBTOTAL	0	0	9	\$180,400
TOTAL	1	\$16,500	32	\$308,715

ANALYSIS: During the reporting period, Solid Waste Enforcement and Water Pollution Enforcement jointly entered into a Consent Order with Respondent Georgetown County for violations that occurred at its municipal solid waste ("MSW") landfill and its construction, demolition, and land-clearing ("C&D") landfill. The violations at the MSW landfill included, in part, failure to control erosion that caused a discharge of sediment to wetlands and surface waters. The violations at the C&D landfill included, in part, failure to maintain adequate cover that caused a discharge of leachate into surface waters. The Consent Order requires Georgetown County to pay a civil penalty of \$28,385.00 for the violations. An inspection conducted by the Department at the landfills in July 2003 indicated that the violations cited in the Consent Order had been corrected.

Water Pollution Enforcement issued a Consent Order with an assessed civil penalty of \$11,200.00 against Respondent Sara Lee Sock Company, located in Barnwell County, for allowing an unauthorized discharge of process wastewater to a wetlands area and then to the Salkahatchie River. When plant personnel became aware that the discharge was coming from a broken underground wastewater line, they immediately ceased all plant operations and identified and repaired the line.

The Bureau of Air Quality issued a Consent Order against Respondent Michelin North America, Inc. for violations that occurred at four plants located in Anderson, Greenville, Spartanburg, and Lexington Counties. A civil penalty of \$111,500.00 was assessed. The most significant violation involved Michelin's failure to obtain construction permits or conduct a Prevention of Significant Deterioration review regarding a change in raw materials used in its rubber manufacturing process. The change in raw materials resulted in an increase in potential volatile organic compound emissions at the plants. With the exception of the Anderson plant, Michelin has obtained permits for all of the facilities without the need for additional control equipment.

Submitted by:

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Deputy Commissioner for Environmental Quality Control